



MEMORANDUM

TO: Andrew Rivera, Planning Commission Coordinator
Planning and Zoning Department

FROM: Mashell Smith, Land Management Supervisor, Office of Real Estate Services

DATE: December 3, 2019

SUBJECT: F#9941-1803 Right of Way Street Application and Commissions Meetings
[2,067 square foot portion of W. 49th Street].

Attached are the departmental comments and other information pertinent to the referenced street vacation (2,067 square foot portion of W. 49th Street commonly known as 1304 & 1306 W. 49th Street). The area being requested for vacation will be added to adjacent property. The adjacent property is the future development of a 2,008 square foot two story office building. All affected departments and private utility franchise holders have reviewed this request and recommend approval, subject to the following conditions:

1. Austin Transportation Department:
 - o A public sidewalk easement (SE) will be required for a portion of the Right of Way (ROW) that is being vacated. Access must be for pedestrians, scooters, and all ages, all ability bicycle traffic with ADA compliant access/pathways. Area to be approximately 887 square feet.
2. Austin Water Utility:
 - o A water line easement will be retained over AWU facilities.

Public notice was sent to Brentwood Neighborhood Associations and owners within 300' of the two parcels. Objections are attached to this memo and summarized below:

Shelly Ogle – Objects to sidewalk being taken away and installing parallel parking.

Stephanie Anderson – Concerned about increased commercialization encroaching into residential neighborhood.

Brentwood Neighborhood Association – Do not support the street vacation for parking spaces. Want parking at rear of building. The proposed vacation is not conducive to pedestrian movement in the neighborhood.

As additional backup I am attaching a letter from Civilitude summarizing public outreach and a letter to Civilitude discussing public outreach.

The applicant has requested that this item be submitted for placement on the **December 10, 2019 Planning Commission Agenda**.

Staff contact: Mashell Smith, Land Management Supervisor, (512) 974-7079

Applicant: Nhat Ho, nhat@civiltude.com
Civiltude Engineers & Planners, (512) 761-6161

Property Owner: Woodrow W49 Partners, LLC

The applicant and/or the property owner's representative will be present at the meeting to answer any questions regarding the development project and vacation request.

SUMMARY OF REVIEW COMMENTS REPORT
F#9941-1803 STREET VACATION (2,067 SF PORTION)
[W 49TH ST]

APPROVED WITH CONDITIONS

AUSTIN WATER

Reservation of an easement (10 x 10 square foot section) to protect water meter

– *Angela Baez, Austin Water*

TRANSPORTATION & SUBDIVISION

Reservation of an easement for sidewalk purposes ~ approximately 887 Square feet

– *Chris Yanez, CNU-A Program Manager III – Land Use Review*

APPROVED NO COMMENT

• AUSTIN ENERGY	• DEVELOPMENT SERVICES <u>Land Use Review Drainage Engineering</u>
• AT&T	• EMS
• AUSTIN RESOURCE RECOVERY	• WATERSHED PROTECTION DEPARTMENT
• AUSTIN TRANSPORTATION	• PLANNING & ZONING <u>Neighborhood Planning</u>
• CODE COMPLIANCE	• PLANNING & ZONING <u>Urban Design</u>
• CTM-GAATN	• PLANNING & ZONING <u>Zoning Review</u>
• FIRE	• PUBLIC WORKS <u>Sidewalks & Special Projects</u>
• GOOGLE	• PUBLIC WORKS <u>Street & Bridge Operations</u>
• GRANDE COMMUNICATIONS	• CHARTER/SPECTRUM COMMUNICATIONS
• CAPITAL METRO	• TEXAS GAS SERVICES
• PARKS & RECREATION DEPARTMENT	• PUBLIC WORKS <u>Urban Trails</u>
• CHARTER/SPECTRUM	• WATERSHED PROTECTION DEPARTMENT <u>Engineering</u>

APPLICATION

Vasquez, Kim

From: CLMD Land Management
Sent: Thursday, March 08, 2018 2:00 PM
To: 'CWTX_Austin_EL'; 'Giambruno, Melody (Melody.Giambruno@austinenergy.com)'; Fenrick, Katrina; Neal, Jenna; Baez, Angela; Quinonez, Bruna; DeMatos, Carlos; Warren, Milissa; 'Gonzalez, Roberto'; 'Daniel Pina'; 'aplatt@google.com'; 'acreel@google.com'; 'fwritter@google.com'; Chuter, Jackie; Arthur, Laura; Jain, Sangeeta; Walters, Mark; Rey, Humberto; Rhoades, Wendy; Boswell, David; Dusza, Eric; Spence, Janae; 'Barraza, Christian'; Rodriguez, Rolando; 'Kevin.Rooney@charter.com'; 'Womack, Tony A'; Ulary, Annabell; Austin, Lee; Borkar-Desai, Dipti; Martin, Anna; Kosaraju, Ravali
Cc: Spillar, Rob; Sermenio, Eric; Bollich, Eric; Duncan, Daren; Turner, Mike - ARR; Sharma, Binaya
Subject: F#9941-1803 Street ROW Vacation: 1304 & 1306 W. 49th St
Attachments: 9941-1803 Street ROW Vacation Memo.pdf
Importance: High
Follow Up Flag: Follow up
Due By: Friday, April 13, 2018 1:00 PM
Flag Status: Flagged

Greetings,

Please review the attached street right of way vacation application and respond by: **March 28, 2018**

Please send responses to: landmanagement@austintexas.gov

Thank you,

Kim Vasquez | Property Agent Senior
Office of Real Estate Services
City of Austin
505 Barton Springs Rd, Ste. 1350
Austin, TX 78704
512-974-9241
kim.vasquez@austintexas.gov

MEMORANDUM

Case No: 9941-1803

Date: March 8, 2018

SUBJECT: STREET RIGHT OF WAY VACATION

() Lucy Cabading	AT&T	() Jackie Chuter	PARD
() Melody Giambruno	Austin Energy	() Laura Arthur	DSD (LUR-Drainage)
() Katrina Fenrick	Austin Resource Recovery	() Sangeeta Jain	DSD (LUR-Transportation)
() Rob Spillar	Austin Transportation Director	() Mark Walters	P&Z (Comp. Planning)
() Angela Baez	Austin Water	() Humberto Rey	P&Z (Urban Design)
() Jenna Neal		() Wendy Rhoades	P&Z (Zoning Review)
() Bruna Quinonez	Code Compliance	() David Boswell	PWD (Street & Bridge)
() Carlos Dematos	CTM – GAATN	() Eric Dusza	PWD (Sidewalk & Special Proj.)
() Milissa Warren	EMS	() Janae Spence	PWD (Urban Trails Connectivity)
() Roberto Gonzalez	Capital Metro	() Christian Barraza	Texas Gas
() Daniel Pina	Grande Communication	() Rolando Rodriguez	Fire
() Anthony Platt	Google	() Kevin Rooney	Charter/Spectrum
() Andy Creel		() Tony Womack	
() Frederic Ritter		() Annabell Ulary	WPD (Engineering)

A request has been received for the **street right of way vacation of a portion of W. 49th St., consisting of 2,067 square feet**, granted by a street deed, recorded in Volume 12078, Page 17, Real Property Records of Travis County, Texas, adjacent to Lots 2 and 3, J. V. Walden Subdivision, recorded in Volume 4, Page 290, Plat Records, Travis County, Texas, locally known as 1304 & 1306 W. 49th St.

Please review this request and return your comments to Kim Vasquez (512) 974-9241

Email address: landmanagement@austintexas.gov

Physical address: Office of Real Estate Services
505 Barton Springs Rd., Ste. 1350
Austin, TX 78704

Due Date: March 28, 2018

APPROVAL: _____ YES _____ Yes Subject to Requirement _____ No

Comments: _____

Prepared by: _____

Reviewed by: _____

Telephone: _____

Date: _____



CIVILITUDE
ENGINEERS & PLANNERS

1210 Rosewood Avenue
Austin, Texas 78702
Firm Registration #12469

Phone 512 761 6161
Fax 512 761 6167
info@civiltude.com
www.civiltude.com

February 19th, 2018

City of Austin
Office of Real Estate Services
505 Barton Springs Road, Suite 1350
Austin, Texas 78704
Attn: Land Management Division

Re: **Tenant Information**
Application for Street or Alley Vacation
1304 & 1306 W 49th Street, Austin, Texas

Dear Ms. Halm,

Civiltude, LLC presents this additional document as part of the Application for Street or Alley Vacation, submitted on behalf of **Woodrow W49 Partners LLC**.

Below you will find the contact information for tenants residing on the premises adjacent to the area to be vacated. Each tenant has either a month-to-month lease or has a lease expiring by the end of April 2018.

1304 W 49th Street

Jared Ferguson and Sarah Abernethy: (210) 835-4544

1306 W 49th Street

Wesley Wood: (903) 271-4782

1210 W 49th Street

Josh Gaddy: (832) 373-9925
Richard Navarrete: (719) 200-5601
Juan Chavez

Sincerely,

Faye Kazi, PE, LEED AP
President



CIVILITUDE
ENGINEERS & PLANNERS

1210 Rosewood Avenue
Austin, Texas 78702
Firm Registration #12469

Phone 512 761 6161
Fax 512 761 6167
info@civiltude.com
www.civiltude.com

February 20th, 2018

City of Austin
Office of Real Estate Services
505 Barton Springs Road, Suite 1350
Austin, Texas 78704
Attn: Land Management Division

Re: **Transmittal Letter**
Reasons for Vacation
Application for Street or Alley Vacation
1304 & 1306 W 49th Street, Austin, Texas

Dear Ms. Halm,

Civiltude, LLC presents to you an Application for Street or Alley Vacation, submitted on behalf of **Woodrow W49 Partners LLC**. The packet includes the Application for Street or Alley Vacation, Special Warranty Deed, landowner information, tenant information for individuals currently residing in the properties adjacent to the areas to be vacated, survey notes, and a location map.

The area to be vacated lies within City jurisdiction. A commercial development project site plan has previously been submitted for the property adjacent to the area to be vacated.

Additionally, we present the following details pertaining to the area to be vacated:

1. This is a commercial project.
2. The area to be vacated was dictated by Plat.
3. The City did not purchase the area to be vacated.
4. Both the area to be vacated and our client's property are located in the same subdivision.
5. The area to be vacated is only dedicated on paper.
6. There are no utility lines within the area to be vacated.
7. Plans for the development of the vacated area are to build parking areas for the office building.
8. A site plan has already been submitted for the project (for address 1304, 1304, and 1210 W 49th St, Austin, TX.)
9. The project is a Unified Development, as a site plan has been submitted to develop the property.
10. The project is not a S.M.A.R.T. Housing Project.
11. Construction is anticipated to begin in September 2018.
12. Current zoning of the adjacent properties: LO-MU-NP to the east and west, SF3-NP to the north.
13. Current status of the adjacent properties: the property is developed to the north and has retail and single-family uses; the property is developed to the west and has single-family use; the property is developed to the east and has personal services use
14. There currently exists residential parking in the form of residential drive-ways and individual garages.
15. The parking requirements will not increase with the expansion.



16. See response to question 15: parking requirements will not increase.
17. No agreements or easements have been executed with adjacent owners.
18. The area to be vacated does not lie within the Austin Downtown Plan and the ADP criteria is not applicable.
19. The area to be vacated does not lie within UT boundaries.
20. The proposed vacation supports the Priority Programs and policy directives detailed in the Imagine Austin Comprehensive Plan in the following ways: the project, a new office building amid a residential neighborhood, has the potential to be a space where local businesses can thrive and make themselves accessible to the residents in the surrounding areas. This project invests in the interconnectedness of Austin by placing commercial buildings in close proximity to residential spaces, making it feasible for residents to conduct business locally.

Thank you for your time and consideration.

Sincerely,

Faye Kazi, PE, LEED AP
President

APPLICATION FOR STREET OR ALLEY VACATION

File No. 9941-1803
Department Use OnlyDATE: 3/8/2018
Department Use Only

TYPE OF VACATION

Type of Vacation: Street; Alley: ; ROW x Hundred Block:
 Name of Street/Alley/ROW: West 49th Is it constructed: Yes (No)
 Property address: 1304 W 49th Street
 Purpose of vacation: Previous row dedication is unused & appears to continue to be unusable due to a lack of
corresponding row along corridor

PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED

Parcel #: 226403 and 226404
 Survey & Abstract No.:
 Lot(s): 3 & 2 Block: NA Outlot:
 Subdivision Name: J.V. Walden Subdivision
 Plat Book 4 Page Number 290 Document Number

Neighborhood Association Name: Brentwood Neighborhood Association
 Address including zip code: BNA, 1707 Romeria, Austin, TX 78757

RELATED CASES

Existing Site Plan (circle one): YES / NO
 Subdivision: Case (circle one): YES / NO
 Zoning Case (circle one): YES / NO

FILE NUMBERS

Sp-2017-0339C
C8-1946-1785
C14-04-0012

PROJECT NAME, if applicable:

Name of Development Project: Woodrow W 49th St Office
 Is this a S.M.A.R.T. Housing Project (circle one): YES / NO
 Is this within the Downtown Austin Plan Boundaries (circle one): YES / NO

OWNER INFORMATION

Name: Woodrow W49 Partners LLC (as shown on Deed)
 Address: PO BOX 5645 Phone: () Fax No.: ()
 City: Austin County: Travis State: TX Zip Code:
 Contact Person/Title: Thomas Giamboi Cell Phone: ()
 Email Address: thomastxhy@gmail.com
 (If multiple owners are joining in this request, complete names and addresses for each must be attached.)

APPLICANT INFORMATION

Name: Nhat Ho
 Firm Name: Civiltude, LLC
 Address: 1210 Rosewood Ave
 City: Austin State: TX Zip Code: 78702
 Office No.: (512) 761-6161 Cell No.: () Fax No.: (512) 761-6167
 EMAIL ADDRESS: nhat@civiltude.com

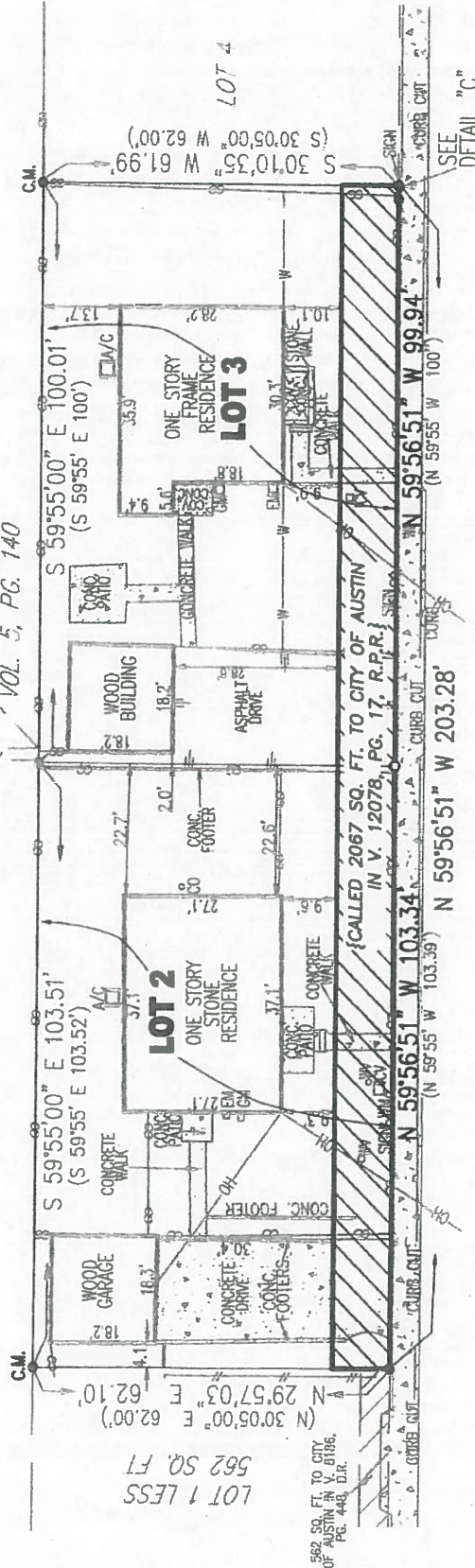
The undersigned Landowner/Applicant understands: 1) This application will be handled in accordance with standard City policies and procedures. 2) No action will be taken without (a) payment of the nonrefundable application fee, or (b) necessary documentation. 3) The application and fee in no way obligate the City to vacate the subject area. 4) All documents related to this transaction and a certified check for the appraised value must be delivered to the City of Austin prior to placing the item on the Council Agenda for final approval.

Signed By: [Signature]
 Landowner/Applicant

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

GIRLING CHILDREN PARTNERSHIP—
DOC. NO. 2007220157, O.P.R.
11586 SQ. FT.

LOT 19
LYNDALDE SECTION 2
VOL. 5, PG. 140

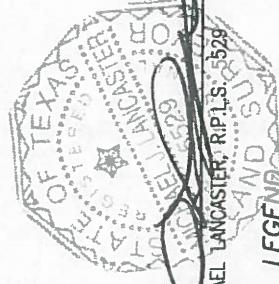


BEARING BASIS C.M. TO C.M.
S 59°55'00" E 203.52' (203.52')

WEST 49TH ST
R.O.W. VARIES



DETAIL "C"
NOT TO SCALE
FROM A 1/2" REBAR FOUND AT THE
PROPERTY CORNER. ANOTHER 1/2" REBAR
FOUND BEARS N 61°02'38" W 2.36'



DATE 02/13/18
MICHAEL LANCASTER, R.P.L.S. 5528

LEGEND

- 1/2" REBAR FOUND
- CAPPED 1/2" REBAR SET
- CALCULATED POINT
- BOLT FOUND
- 600 NAIL FOUND
- BUILDING LINE
- PUBLIC UTILITY EASEMENT
- DRAINAGE EASEMENT
- PER PLAT V. 4, PG. 290
- PER V. 12078, PG. 17
- CONTROL MONUMENT
- RIGHT OF WAY
- R.O.W.
- P.O.B.

JOB #: B0118718_TA
DATE: 02/13/18
SCALE: 1" = 30'

FIELD WORK BY	LOUIS	11/18/16
CALCD BY	JUAN	11/14/16
DRAWN BY	JOSE	11/14/16
CHECKED BY	ML	11/14/16



B & O SURVEYING, LLC

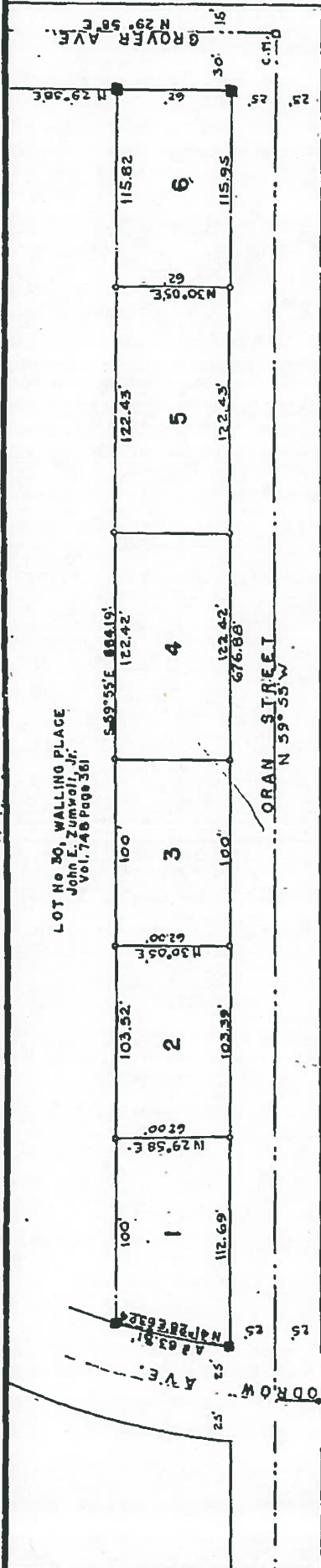
FIRM REGISTRATION NO. 100363-00
WWW.BANDGSURVEY.COM
1404 West North Loop Blvd.
Austin, Texas 78756
Office 512-458-6969



LOCATION MAP

GRID: J26
MAPSCO: 555K

SCALE: 600'



STATE OF TEXAS
 COUNTY OF TRAVIS
 KNOW ALL MEN BY THESE PRESENTS THAT I, J.V. Walden, owner of part of Lot No 30, on record in Plat No 30, for Walling Place, Subdivision out of the GEORGE W. SPEAR LEAGUE in Travis County, Texas, as conveyed to J.V. Walden in a deed of record in Travis County, Texas in Vol 810 Page 217 of the Deed Records of Travis County, Texas, by Ted Wendland, do hereby adopt this plat and map as my subdivision of said tract, said subdivision to be known as "J.V. WALDEN SUBDIVISION", and I have dedicated and do hereby dedicate to the public all streets shown hereon as for as my interests may appear.
 Witness my hand on this, the 21 day of Aug, A.D. 1946.

J. V. Walden

STATE OF TEXAS
 COUNTY OF TRAVIS
 BEFORE ME, a Notary Public in and for Travis County, Texas, on this day personally appeared J.V. Walden, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this, the 21 day of Aug, A.D. 1946.

(SEAL)

Elmer Pruitt

Notary Public in and for Travis County, Texas.

APPROVED FOR ACCEPTANCE

Date 10/2/46 J. E. McFarrell
 J. E. McFarrell, Director of Public Works.

APPROVED BY THE CITY PLANNING COMMISSION

Date 10-2-46 H. F. Funderburk
 Chairman
 Date 10-2-46 Walter Gutierrez
 Secretary

FILED FOR RECORD

At 2:30 o'clock P. M. on the 21 day of Oct, A.D. 1946.

Emilia Limberg
 Miss Emilia Limberg, Clerk, County Court of Travis County, Texas.
 By Elmer Pruitt
 Deputy

STATE OF TEXAS
 COUNTY OF TRAVIS
 I, Miss Emilia Limberg, Clerk of the County Court within and for the county and state aforesaid, do hereby certify that the within foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 21 day of Oct, A.D. 1946 at 2:30 o'clock P. M., and duly recorded on the 21 day of Oct, A.D. 1946 at 2:40 o'clock P. M. in the Plat Records of said county in Plat Book 746 Page 361.
 Witness my hand and Seal of the County Court of said County the date last written above.

Emilia Limberg
 Miss Emilia Limberg, Clerk, County Court of Travis County, Texas.

By Elmer Pruitt
 Deputy (SEAL)

Date 8/4/46 Arnold C. Kollerberger
 Registered Professional Engineer

SEAL

J. V. WALDEN SUBDIVISION

Travis CAD

Property Search Results > 226403 WOODROW W49 PARTNERS LLC for Year 2018 Tax Year: 2018 - Values not available

Property

Account

Property ID: 226403 Legal Description: LOT 3 LESS S 10' WALDEN J V SUBD
 Geographic ID: 0226040427 Zoning: LO
 Type: Real Agent Code: ID:1486449
 Property Use Code:
 Property Use Description:

Location

Address: 1304 W 49 ST TX 78756 Mapsco:
 Neighborhood: BRENTWOOD Map ID: 022601
 Neighborhood CD: Y2000

Owner

Name: WOODROW W49 PARTNERS LLC Owner ID: 1733636
 Mailing Address: PO BOX 5645 % Ownership: 100.000000000000%
 AUSTIN, TX 78763

Exemptions:

Values

(+) Improvement Homesite Value: + N/A
 (+) Improvement Non-Homesite Value: + N/A
 (+) Land Homesite Value: + N/A
 (+) Land Non-Homesite Value: + N/A Ag / Timber Use Value
 (+) Agricultural Market Valuation: + N/A N/A
 (+) Timber Market Valuation: + N/A N/A

 (=) Market Value: = N/A
 (-) Ag or Timber Use Value Reduction: - N/A

 (=) Appraised Value: = N/A
 (-) HS Cap: - N/A

 (=) Assessed Value: = N/A

Taxing Jurisdiction

Owner: WOODROW W49 PARTNERS LLC
 % Ownership: 100.000000000000%
 Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
01	AUSTIN ISD	N/A	N/A	N/A	N/A
02	CITY OF AUSTIN	N/A	N/A	N/A	N/A
03	TRAVIS COUNTY	N/A	N/A	N/A	N/A
0A	TRAVIS CENTRAL APP DIST	N/A	N/A	N/A	N/A

Travis CAD

Property Search Results > 226404 WOODROW W49 PARTNERS LLC for Year 2018

Tax Year: 2018 - Values not available

Property

Account

Property ID: 226404 Legal Description: LOT 2 * LESS S 10' WALDEN J V SUBD
 Geographic ID: 0226040428 Zoning: LO
 Type: Real Agent Code: ID:1486449
 Property Use Code:
 Property Use Description:

Location

Address: 1306 W 49 ST TX 78756 Mapsco:
 Neighborhood: BRENTWOOD Map ID: 022601
 Neighborhood CD: Y2000

Owner

Name: WOODROW W49 PARTNERS LLC Owner ID: 1733636
 Mailing Address: PO BOX 5645 % Ownership: 100.000000000000%
 AUSTIN, TX 78763

Exemptions:

Values

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A
<hr/>			
(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	
<hr/>			
(=) Appraised Value:	=	N/A	
(-) HS Cap:	-	N/A	
<hr/>			
(=) Assessed Value:	=	N/A	

Taxing Jurisdiction

Owner: WOODROW W49 PARTNERS LLC
 % Ownership: 100.000000000000%
 Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
01	AUSTIN ISD	N/A	N/A	N/A	N/A
02	CITY OF AUSTIN	N/A	N/A	N/A	N/A
03	TRAVIS COUNTY	N/A	N/A	N/A	N/A
0A	TRAVIS CENTRAL APP DIST	N/A	N/A	N/A	N/A

PUBLIC NOTICE OBJECTIONS

Smith, Mashell

From: Shelly Ogle <shellyogle2@gmail.com>
Sent: Thursday, April 12, 2018 4:06 PM
To: CLMD Land Management
Subject: RE: Ogle: Objection to 1304/1306 West 49th snatching of public sidewalk

I will, Kim. Thanks much!

From: CLMD Land Management [mailto:LandManagement@austintexas.gov]
Sent: Thursday, April 12, 2018 4:05 PM
To: Shelly Ogle
Subject: RE: Ogle: Objection to 1304/1306 West 49th snatching of public sidewalk

Please certainly let me know if you don't hear back within the next few weeks.

Thank you,
Kim

Kim Vasquez, Property Agent Senior
Land Management



Office of Real Estate Services
505 Barton Springs Rd, Ste. 1350
Austin, TX 78704
Direct: 512-974-9241
kim.vasquez@austintexas.gov

From: Shelly Ogle [mailto:shellyogle2@gmail.com]
Sent: Thursday, April 12, 2018 3:57 PM
To: CLMD Land Management <LandManagement@austintexas.gov>
Subject: RE: Ogle: Objection to 1304/1306 West 49th snatching of public sidewalk

Thanks very much, Kim. I'll be back in touch with you in case I hear nothing from them.

From: CLMD Land Management [mailto:LandManagement@austintexas.gov]
Sent: Thursday, April 12, 2018 3:56 PM
To: Shelly Ogle
Subject: RE: Ogle: Objection to 1304/1306 West 49th snatching of public sidewalk

Thank you, Ms. Ogle.

I have forwarded your objection to the applicant for them to reach out to you to address your concerns.

Thank you,
Kim

Kim Vasquez, Property Agent Senior
Land Management



Office of Real Estate Services
505 Barton Springs Rd, Ste. 1350
Austin, TX 78704
Direct: 512-974-9241
kim.vasquez@austintexas.gov

From: Shelly Ogle [<mailto:shellyogle2@gmail.com>]
Sent: Thursday, April 12, 2018 2:57 PM
To: CLMD Land Management <LandManagement@austintexas.gov>
Subject: FW: Ogle: Objection to 1304/1306 West 49th snatching of public sidewalk
Importance: High

Let's get the address right...:

From: Shelly Ogle [<mailto:shellyogle2@gmail.com>]
Sent: Thursday, April 12, 2018 2:55 PM
To: landmanagement@austintexas.gov
Subject: Ogle: Objection to 1304/1306 West 49th snatching of public sidewalk
Importance: High

Per call just finished with Kim Vasquez, I am e-mailing you to object to the property changes wanted by the developers of 1304 and 1306 West 49th Street.

Specifically, I object to their taking away the public sidewalk. I use that to get to the bus. Don't give it away!

Also, I object to their apparent plan to install parallel parking alongside the street or alongside the sidewalk, if indeed the sidewalk is meant to remain intact, altho the maps provided by the City show no sidewalk at all. Parallel parking there will result in the entire frontage of both lots opening into the curb like one big, long, wide mouth of a driveway, which presents a life-threatening danger to pedestrians.

Just make sure there's a sidewalk. Make it wider, even, to make up for the developers' newly imposing presence. And make sure there's no single huge driveway.

And stop using stupid words like "street vacation" when you're talking about giving up public property to private developers. "Street vacation" sounds like you're inviting us all to a happy, fun block party! Your letters need to be more explanatory; as written now, with jargon and inadequate maps, they clearly favor developers over residents.

Thanks.

Shelly Ogle
4905 Lynndale Drive
Austin, TX 78756

Smith, Mashell

From: Vasquez, Kim
Sent: Thursday, April 12, 2018 9:33 AM
To: Anderson, Stephanie
Subject: RE: Objection to Street Vacation - 1304 & 1306 W 49th Street
Attachments: Public Notice Letter Final 3.28.18.pdf

Thank you, Ms. Anderson. I will forward your objection to the applicant for them to reach out to you to discuss your concerns.

Attached is a copy of the revised public notice letter with the corrected parcel ID map.

Thank you,
Kim

Kim Vasquez, Property Agent Senior
Office of Real Estate Services
Land Management
505 Barton Springs Rd, Ste 1350
Austin, TX 78704
Direct: 512-974-9241
kim.vasquez@austintexas.gov

From: Anderson, Stephanie [mailto:stephanie.anderson@austin.utexas.edu]
Sent: Thursday, April 12, 2018 7:10 AM
To: CLMD Land Management <LandManagement@austintexas.gov>
Subject: Objection to Street Vacation - 1304 & 1306 W 49th Street

April 11, 2018

Kim Vasquez
Property Agent Senior
City of Austin Real Estate Services
Land Management
505 Barton Springs Road, Ste 1350
Austin, TX 78704

Dear Ms. Vasquez,

I am writing to voice my objections to the proposal for Street Vacation requested by Civiltude Engineers and Planners on behalf of Woodrow W49 Partners for the 2,067 square foot portion of W 49th Street adjacent to 1304 & 1306 W 49th Street, Subdivision Lots 2 & 3, J. V. Walden Subdivision in order to construct parking spaces.

I own the property and live at 4907 Lynndale Drive and am concerned about the increased commercialization encroaching into our residential neighborhood. That portion of 49th Street is still made up of small single family residential buildings that reflect the residential feel of the neighborhood. In addition, I am concerned that the proposed parking spaces conflict with the only sidewalk along 49th Street in that block, a sidewalk that is frequently used by the

residents of the School of the Blind and Visually Disabled, located nearby, as well as by numerous employees of the nearby state agencies, creating a potential safety hazard for pedestrians.

I received the original Public Notice certified letter dated March 23. When I spoke with you on the phone on March 28, 2018, you said you would be resending the letter because an incorrect map had been attached. Due to a family medical emergency, I have been unable to get to the post office to receive and sign for the corrected certified letter.

Thank you for your consideration.

Sincerely,
Stephanie Anderson
4907 Lynndale Drive
Austin, TX 78756
512-496-4152

Smith, Mashell

From: brentwood austin <brentwood.austin@gmail.com>
Sent: Friday, April 6, 2018 10:44 PM
To: CLMD Land Management; Pool, Leslie; bill.spiesman@yahoo.com;
mcabarney@gmail.com
Subject: Street Vacation, 49th Street, File Number: 9941-1803

The Brentwood Neighborhood Association does not support the partial street vacation at 1304 and 1306 W. 49th Street requested by Woodrow W 49th Street Partners LLC.

The owner previously requested a compatibility standard variance for the rear of the property (that they were granted) so that all of the parking would be behind the building. We do not support this street vacation for parking spaces. They already received the compatibility waiver for rear parking and the proposed vacation is not conducive to pedestrian movement in the neighborhood.

Bill Spiesman
512 739-0847
President of Brentwood Neighborhood Association

Smith, Mashell

From: Pool, Leslie
Sent: Saturday, April 7, 2018 10:09 AM
To: brentwood austin
Cc: CLMD Land Management; bill.spiesman@yahoo.com; mcabarney@gmail.com; Brinsmade, Louisa
Subject: Re: Street Vacation, 49th Street, File Number: 9941-1803

Bill, thanks for providing Brentwood NA's input opposing the street vacation. I've included Louisa in this note so she can be on the lookout for the case.

Best,

Leslie

Leslie Pool
Council Member, District 7
Austin City Council
512.978.2107

On Apr 6, 2018, at 10:44 PM, brentwood austin <brentwood.austin@gmail.com> wrote:

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January 4, 2019

Andy Halm, Senior Property Agent
Office of Real Estate Services
505 Barton Springs Road, Suite 1350
Austin, TX 78704

Re: **Public ROW Partial Vacation – Summary of Neighborhood Engagement**
1304 & 1306 W 49th Street, Austin, Texas

Dear Mr. Halm:

This letter is to summarize our team's effort in engaging the Brentwood Neighborhood. Although we did not receive their support, we believe we had provided our best effort and are seeking staff's support in moving the case forward to Commissions' hearing. Below are more details of the engagement.

The items were discussed by the Brentwood Neighborhood Associations on three occasions:

1. October 3rd, 2018:
 - a. Attendees: Glen Coleman (lobbyist representing the project), BNA's Steering Committee and several neighborhood members
 - b. Discussions:
 - Overview of the public ROW to be vacated / purchased back by the project from the City.
 - History of how the ROW was dedicated (via plat).
 - What the vacated ROW to be used for (additional parking on site).
 - c. Decision/Next step: No decision was taken. The neighborhood wanted more details on how exactly would the vacated area be used for the parking.
2. November 7th, 2018:
 - a. Attendees: Nhat Ho (project civil engineer), Glen Coleman (lobbyist representing the project), BNA's Steering Committee and several neighborhood members
 - b. Discussions:
 - Project team present drawings that illustrate additional parking spaces to be proposed if ROW vacation is granted by Council. We stressed that only fullsize parking spaces would be proposed (no compact) which was a concern that the neighborhood had expressed. Several members of the neighborhood acknowledged that the proposed additional parking would reduce parking demand on the public street which is desirable.
 - The project team also showed that even with new parking spaces added, the site still met impervious cover limit and will provide all required water quality and detention's requirements.
 - Some neighbors expressed concern related to "loss of green space", potential loss of sidewalk and trees. We clarified that the two mid-size Chinese tallow trees affected by proposed parking would be mitigated by planting new trees per City's requirements. The existing sidewalk will remain in place and improved to meet ADA crossings at driveways. Furthermore site lighting and benches



are being proposed along the existing sidewalk to activate the pedestrian path and improve safety at night.

c. Decision/Next step:

- No decision was taken at the meeting.
- The project team followed up with after the meeting to offer potentially eliminating one of the proposed parking spaces to save the tree.

3. December 5th, 2018:

- a. Attendees: project team offered to attend but was asked not to.
- b. Decision: the Steering Committee informed that a vote was taken to not support the vacation request.

We are seeking staff's recommendation for the vacation on the basis that the request provides public benefits as follow:

- The requested area is relatively small 2,067 SF (only 10' deep) which would not affect how the current street and sidewalk would function.
- This area appears to be dedicated to the City via plat in the '70 but no improvement has been proposed on it. If granted, the area will allow onsite parking that reduces parking demand along public street that the neighborhood had expressed desire to reduce.
- While we acknowledge that there is reduction of green space, it is within the allowable limit of zoning and will be mitigated by the proposed trees and water quality treatment per code. Furthermore, proposed lighting and benches will improve safety and activate pedestrian usage of the sidewalk which is not desirable in current conditions.

Please don't hesitate to reach out if additional is needed to support our request.

Sincerely,

A handwritten signature in black ink, appearing to read "Nhat M. Ho". The signature is stylized with loops and a long horizontal stroke at the end.

Nhat M. Ho, PE, LEED GA

Vice President

December 7, 2018

Nhat Ho, PE LEED GA
Civiltude
5110 Lancaster Court
Austin, Texas 78723

Re: F#9941-1803 Street ROW Vacation: 1304 & 1306 W. 49th St
Review of Brentwood community conversations

Hello Nhat;

I wanted to update you on conversations with the Brentwood Neighborhood and the Brentwood Neighborhood Steering Team.

To review, last year I was asked by your client to assist with conversations surrounding a parking variance of a project on W. 49th Street. The neighborhood subsequently voted to support your request for a compatibility waiver to enhance parking on the site. Planning Commission followed suite later that month.

Early this autumn we returned to the Brentwood Neighborhood Association to request their support for the vacation by the City of Austin of an easement which would allow an estimated 9 additional spaces to serve your site and the neighborhood.

I met with the Brentwood team on **October 3rd**, see notes below.
We discussed the ask, but the group had more questions, and asked for a more detailed presentation.

A second meeting, you were attendance as well, took place on **November 7th**. To review, you showed them a more detailed site plan showing the exact parking spaces requested. Again, no vote was taken; there were some concerns voiced about "loss of green space" and full sized vs. compact parking spaces.

Later that month we decided to respond to these concerns. We examined the site and decided to give up one of the requested parking spaces in order to preserve a mid-size Chinese Tallow located near the street side of the project. Last week I submitted this offer to the Brentwood Steering Committee. One of their members related that I need not attend as he would relay my offer to the team.

On **December 5th** the team declined our offer and voted not to support the vacation of the easement.

Nhat it is my recommendation at this time that you move forward and request that staff place the vacation item on the Austin Planning Commission agenda.

Your request is reasonable, parking is needed, the easement is useless to The City and generates no tax revenue and - you have been at great pains to engage the community on this minor item. I do recommend keeping the offer to preserve the Chinese Tallow. Although not an ideal specie, it is a good source of shade on the site and reflects your good will to work with the stakeholders.

With the preservation of the tree intact, this ask is entirely beneficial to The City and I recommend you daylight the item where it can be voted on by Commission and Council. Please let me know if you would like me involved with staff and Commission conversations moving forward.

With Warmest Wishes for the Season,

Glen Coleman
glen@southllano.com
512 407-9357

South Llano Strategies P.O. Box 49444 Austin, Texas 78765 www.southllano.com

Hi Nhat,

A quick summary of my notes from October 3rd.

Brentwood NA re 49th Street Easement

Wednesday October 3, 7pm at Lion's club on Justin Lane

Printed material 24 x 12 blow up of Approved Site Plan showing strip to be vacated

Was second on agenda, but got to speak first.

Did not stay for Prop A presentation by CM Pool and her aide but heard they nailed it

13 in attendance, group had questions about where *exactly* on site plan the new parking spaces would be. I did not provide this level of detail at the meeting but agreed to send them a mark up. They also indicated they had a few other questions and would send me an email with them. I have followed up, but not received the other questions yet.

No vote was taken either way and the group was noncommittal.

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Thu, Nov 15, 4:25
PM

I'm certainly in favor of maintaining or providing new opportunities for trees and other green space.



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Tue, Dec 4,
3:46 PM (3
days ago)

Don & Team, Let's do that then. I will ask Nhat to resubmit, giving up a space and preserving that tree. Would you like us to return to



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Tue, Dec 4,
4:02 PM (3
days ago)

Glen, This is not my call, but will be a decision by the entire Steering Committee (we are meeting tonight to discuss this and other bus.

Glen,

The Steering Committee met last night and voted to oppose the ROW vacation. I think that the consensus was that the loss of additional green space outweighed the potential of slip-over traffic onto neighborhood streets. Let me know if you have additional questions.

Thanks,

Don Leighton-Burwell